



RULE CHANGES AS OF OCTOBER 24, 2001
U.S. DISTRICT COURT, TEXAS EASTERN

This flyer alerts you to new developments in the U.S. District Court, Texas Eastern. Downloadable current versions of the local rules and other pertinent documents are available at our Internet site (<http://www.txed.uscourts.gov>). Here are highlights of local rules changes enacted on October 24, 2001 by General Order 01-17:

Local Rule CV-7(f). A sur-reply responding to issues raised in the reply may be served and filed within 5 days from the date the reply is served. The court need not wait for the reply or sur-reply before ruling on a motion.

Local Rule CV-7(h). Certificates of conference are not required in prisoner cases, or with the following motions: (1) to dismiss; (2) for judgment on the pleadings; (3) for summary judgment; (4) for judgment as a matter of law; (5) for new trial; (6) for admission to practice pro hac vice; (7) any motion captioned as "joint," "agreed upon" or unopposed" and (8) for judgment of acquittal in criminal cases. The clerk's office will continue to monitor compliance with this rule.

Local Rule CV-11. Former section (e) was stricken. It required the attorney-in-charge to notify other attorneys representing the same party of all communications about an action. This provision is no longer necessary, since a fax noticing system enables the court to quickly notify attorneys of case developments. All attorneys entering an appearance will be added to the docket sheet. The attorney-in-charge designation has been retained, since the court finds it helpful to have a lead attorney when a party is represented by multiple attorneys.

Local Rule CV-16. The Fed.R.Civ.P. 16 scheduling conference may be conducted in the courtroom, by telephone, mail or other suitable means at the judge's discretion. A scheduling order will be entered in every case. An illustrative scheduling order is provided as Appendix L.

Local Rule CV-43. The presiding judge must approve the utilization of interpreters in civil cases not instituted by the United States. The use of certified and "otherwise qualified" interpreters is encouraged. The clerk's office will make lists of certified and otherwise qualified interpreters available to parties.

Local Rule CV-79(c)(3). Parties must provide letter-sized copies or pictures of any physical or oversized exhibit to the court prior to the conclusion of trial. Oversized exhibits will be returned at the conclusion of the trial or hearing. The letter-sized copies and pictures will be retained in the case file as indicia of the physical or over-sized exhibits.

Local Rule CR-47. Motion practice in criminal cases must conform to the motion practice requirements in civil cases set forth in Local Rule CV-7.

Local Rule CR 49(a). Pleadings and papers submitted in criminal cases must conform to the filing, service and format requirements for civil cases contained in Local Rules CV-5, CV-10 and CV-11.

Local Rule AT-1. Pro hac vice motions must be filed on a court-approved form that is available on the court's website. The fee for pro hac vice admission has been increased from \$10 to \$25. Money from this fee is placed in the court's non-appropriated fund, which is used for the benefit of bench and bar.